

1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA

3 WESTERN DIVISION

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5 THE HONORABLE STEPHEN V. WILSON, DISTRICT JUDGE PRESIDING

6 MORTAZA MOHAMMAD NOORZAY,)
7 et al.,)
8 Plaintiffs,)
9 vs.) Nos. CV 15-0094-SVW
10 TATITLEK SUPPORT SERVICES,) CV 15-0298-SVW
11 INC., et al.,) CV 14-9923-SVW
12 Defendants.)
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15 REPORTER'S TRANSCRIPT OF PROCEEDINGS

16 LOS ANGELES, CALIFORNIA

17 MONDAY, MARCH 9, 2015

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19 **STATUS CONFERENCE**

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LOS ANGELES, CALIFORNIA; MONDAY, MARCH 9, 2015; 1:35 P.M.

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THE CLERK: Calling civil, 14-9923-SVW, Noorsay versus Tatiklek Support Services; civil 15-94, Nur versus the Tatiklek Corporation; and 15-298, Chalupa versus Tatiklek Support Services, Incorporated.

Counsel, please state your appearances.

9 MR. BLECHER: Good afternoon, Your Honor. Maxwell
10 Blecher, Donald Pepperman and Howard Alperin for the plaintiffs
11 in the Noorsay v. Tatiklek case.

12 MR. JOHNSTON: Good afternoon, Your Honor. James
13 Johnston and Larry Hoddick for plaintiffs in the Chalupa versus
14 Tatiklek case.

15 MR. DAYES: Good afternoon, Your Honor. Trey Dayes
16 appearing on behalf of the plaintiffs in the Nur case.

17 MS. STEGMAN: Good afternoon, Your Honor. Daphne
18 Stegman and Mirren Stegman-Wise for Noorsay, plaintiffs.

19 MR. MEER: Good afternoon. John Meer appearing for
20 defendants in all three cases, and I have my colleagues with
21 me: John Giovannone and Larry Lawrence.

22 THE COURT: You may be seated.

23 The first issue is determining whether these cases
24 should be consolidated. They seem to allege the same
25 violations over the same time period.

1 Is there any material difference between the
2 complaints?

3 MR. BLECHER: Maxwell Blecher for the Noosay
4 plaintiffs, Your Honor.

5 We think they should be consolidated. They're
6 substantially identical in terms of the charge and the time
7 period. Classes are essentially overlapping.

8 THE COURT: All right.

9 And would you identify yourself before you speak so
10 the court reporter knows.

11 MR. JOHNSON: Thank you, Your Honor.

12 James Johnston for the Chalupa plaintiff.

13 THE COURT: Yes.

14 MR. JOHNSON: Your Honor, our case is a little
15 different because our intention is to amend the complaint to
16 eliminate the class allegation and to proceed on Mr. Chalupa's
17 individual claims.

18 THE COURT: I see. What about the Nur plaintiff?

19 MR. DAYES: We have no objection one way or the
20 other. I'm sorry. Mr. Days, Trey Days.

21 THE COURT: Could I ask you a few further questions.

22 Mr. Maxwell is -- I mean Mr. Blecher is essentially
23 correct that they do allege the same basic violations in the
24 same time period, but the allegations in the Nur complaint and
25 the Noorsay complaint are not stated exactly the same way.

1 Do you have any objection to the way Noorsay has
2 stated them?

3 MR. DAYES: We do have an objection to the way their
4 classes are defined.

5 THE COURT: First, let me ask you in terms of how
6 they allege the substantive violations.

7 Do you agree with that?

8 MR. DAYES: I do believe that basic facts we agree
9 with.

10 THE COURT: In other words, you agree with the basic
11 facts in the Noorsay complaint?

12 MR. DAYES: Yes, we do, Your Honor.

13 THE COURT: And what is different about the way you
14 alleged the respective classes?

15 MR. DAYES: I believe our classes are defined in
16 terms of the job description that the plaintiffs had. In other
17 words, some of them were role players; some of them were
18 interpreters. To my understanding, the other complaint alleges
19 it in terms of what I commonly have heard called failsafe
20 classes. In other words, they're legends in terms of people
21 who had an overtime violation or meal-break violation, that
22 sort of thing. So I think that's the substantive difference
23 between the two claims.

24 THE COURT: How would you respond to that, if at all,
25 Mr. Blecher? You don't have to if you have no response.

1 MR. BLECHER: I would suggest, Your Honor, that if
2 you think consolidation is appropriate -- and I do -- that you
3 give the plaintiffs, the respective plaintiffs, like 30 days,
4 or whatever, to get together and file a new complaint that's
5 uniform insofar as it can be, and we would eliminate the
6 distinctions.

7 MR. DAYES: Your Honor, we don't want to amend our
8 complaint. We feel at this time that it's pled properly.
9 So --

10 THE COURT: In other words -- let me just make sure I
11 understand it -- you're satisfied with your complaint, you
12 don't intend to amend it, but you don't disagree with the
13 allegations in the Noorsay complaint insofar as they outline
14 the substantive violations, forgetting the class distinctions
15 for the moment.

16 MR. DAYES: That's correct, Your Honor.

17 THE COURT: The matter will stand submitted. I'll
18 think about it. Thank you.

19 MR. BLECHER: We have, Your Honor, the Tatiklek
20 motion to dismiss the Noorsay case.

21 THE COURT: I'm going to consider that; I may issue
22 an order. Thank you.

23 Incidentally, the motion won't be granted on the
24 basis that you argue, but it may be there's something else
25 that's of concern to the court, and before I rule, I'll give

1 the parties notice and an opportunity to respond.

2 MR. BLECHER: Thank you, Your Honor.

3 THE COURT: Thank you.

4 (Proceedings concluded at 1:50 p.m.)

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1 C E R T I F I C A T E

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3 I hereby certify that pursuant to Section 753,

4 Title 18, United States Code, the foregoing is a true and

5 correct transcript of the stenographically reported proceedings

6 held in the above-entitled matter and that the transcript page

7 format is in conformance with the regulations of the Judicial

8 Conference of the United States.

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10 Date: June 6, 2015

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12 /S/ _____

13 Deborah K. Gackle
CSR No. 7106

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